

DOCKET NO.: HER-0050

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Application of:

Carla H. Kuhner et al.,

Serial No.: 09/882,781

Group Art Unit: Not Yet Assigned

Filing Date: June 15, 2001

Examiner: Not Yet Assigned

For: **CHEMICALLY-MODIFIED PEPTIDES, COMPOSITIONS, AND  
METHODS OF PRODUCTION AND USE**

DATE OF DEPOSIT: July 18, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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Patrick J. Farley  
TYPED NAME: Patrick J. Farley  
REGISTRATION NO.: 42,524

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

### INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office

**DOCKET NO.: HER-0050**

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**PATENT**

in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

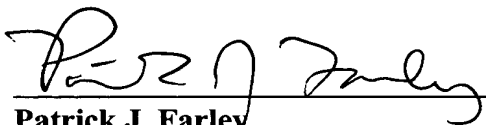
- ☐ Copies of references **[list as appropriate]** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: July 18, 2001.

  
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Registration No. 42,524

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**Form PTO-1449 Modified**

Docket No.

**HER-0050**

Serial No.

**09/882,781**

List of Patent and Publications  
Cited by Applicant  
(Use several sheets if necessary)

U.S. Department of Commerce  
Patent and Trademark Office

Applicant

**Carla H. Kuhner et al.,**

Filing Date

**June 15, 2001**

Group

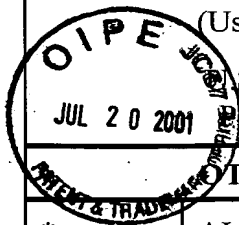
**Not Yet Assigned****OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	AA	Falla T.J. et al., " <i>Mode of action of the antimicrobial peptide indoicidin</i> ", <b>1996</b> , Vol 271 (32), pp 19298-19303
	AB	Hancock, R.E.W., "The therapeutic potential of cationic peptides" <i>Exp. Opin. Invest. Drugs</i> , <b>1998</b> , 7(2), pp 167-174
	AC	Hancock, R.E.W., et al., "Cationic bactericidal peptides" <i>Advances In Microbial Physiology</i> , <b>1995</b> , Vol 37, pp 135-175
	AD	Hancock, R.E.W. et al., "Cationic peptides: a new source of antibiotics" <i>TiB Tech.</i> , <b>1998</b> , 16, pp82-88
	AE	Lehrer et al., "Defensins: Natural peptide antibiotics from neutrophils" <i>ASM News</i> , <b>1990</b> , 56, 315-318
	AF	Merrifield, R.B., "Solid phase peptide synthesis. I. The synthesis of a tetrapeptide" <i>J. Amer. Chem Soc.</i> , <b>1963</b> , 85, pp 2149-2154
	AG	Nguyen-Dinh P., et al., "Antiparasitic agents and susceptibility tests" <i>Manual of Clinical Microbiology</i> , <b>7<sup>th</sup> Edition</b> , pp 1653-1662
	AH	Oh et al., "Structure-activity relationship study: short antimicrobial peptides" <i>J. Peptide Res.</i> , <b>1998</b> , 56, pp 41-46
	AI	Wakabayashi et al., "N-acylated and d enantiomer derivatives of a nonamer core peptide of lactoferricin b showing improved antimicrobial activity" <i>Antimicrobial Agents and Chemotherapy</i> , <b>1999</b> , 43, 1267-1269
*	AJ	" <i>A formulary of cosmetic preparations</i> " Vol 2, Chapters 7-16, pp 5-484
*	AK	Goodman & Gilman's: <i>The Pharmacological Basis of Therapeutics</i> (8 <sup>th</sup> edition), pp 1-83

**EXAMINER****DATE CONSIDERED**

\*A copy of this reference will not be forwarded to the U.S. Patent and Trademark Office since it is believed to be too voluminous and easily obtainable by the Examiner.

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. <b>HER-0050</b>	Serial No. <b>09/882,781</b>
		Applicant <b>Carla H. Kuhner et al.,</b>	
		Filing Date <b>June 15, 2001</b>	Group <b>Not Yet Assigned</b>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
*	AL	Gutte B., " <i>Peptides: Synthesis, Structures and Applications</i> " 1995	
*	AM	Lloyd-Williams et al., " <i>Chemical approaches to the synthesis of peptides and proteins</i> " 1997	
*	AN	Remington's Pharmaceutical Sciences (part 8), pp 1435-1694	
*	AO	The CFTA Cosmetic Ingredient Handbook, 1992, 2 <sup>nd</sup> edition	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	



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U.S. Department of Commerce Patent and Trademark Office				Applicant <b>Carla H. Kuhner et al.,</b>			
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<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	AP	5,504,190	04/02/96	Houghten et al.,	530	329	
	AQ	5,512,549	04/30/96	Chen et al.,	514	12	
	AR	5,939,086	08/17/99	Levy	424	405	
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initial		Document No.	Date	Country	Translation YES      NO		
	AS	HEI 8-176190	07/09/96	Japan	X		
	AT	2,020,148 A6	07/16/91	Spain	X		
	AU	8,702,346 A1	03/16/87	Spain	X		
EXAMINER				DATE CONSIDERED			